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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/816,004 | 03/22/2001 | Masakazu Suzuki | SCEI 3.0-054 | 5183 |

530 7590 12/15/2004

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| EXAMINER |
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MANIWANG, JOSEPH R

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| ART UNIT | PAPER NUMBER |
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2144

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/816,004

Applicant(s)

SUZUOKI ET AL.

Examiner

Joseph R Maniwang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☒ Claim(s) 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>see Office Action</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statements (IDS) submitted on 09/10/01, 09/04/02, 02/24/03, and 06/01/04 were in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements were considered by the Examiner.

Claim Objections

2. Claim 12 is objected to because of the following informalities: recitation of "form" appears to be a typographical error. Appropriate correction is required.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 18-27 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The subject matter of claims 18-27 is directed to a data stream which appears to be nothing more than computer software that is not tangibly embodied on a computer readable medium.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jaffe et al. (U.S. Pat. No. 5,410,727), hereinafter referred to as Jaffe, and further in view of Wilkinson et al. (U.S. Pat. No. 5,630,162), hereinafter referred to as Wilkinson.

7. Jaffe disclosed a plurality of processors connected to a network and controlled by a control unit (see column 5, lines 27-44). The processors included a plurality of memory devices for storage of data for each processor (see column 5, lines 44-49). Each processor was operable to process data transmitted over the network (see column 6, lines 44-60). Jaffe disclosed a processing control unit for determining data processed by the processors (see column 5, lines 38-41). Jaffe disclosed each processing unit including a local memory exclusively associated with each processing unit (see column 3, lines 30-34). Jaffe disclosed a main memory including a plurality of blocks (see column 3, lines 34-37, 42-46, 55-68). Jaffe disclosed a means for synchronizing the processing of data to and from memory blocks (see column 3, lines 47-55). Jaffe disclosed the use of read and write commands for processing data between a processor and local memory (see column 10, lines 12-30, 51-66).

8. Jaffe did not specifically disclose processing data comprising an identification as claimed.

9. In a related art of parallel processors, Wilkinson disclosed a scalable processor array. Similar to Jaffe, the invention of Wilkinson included a plurality of processors, a controller, memory elements associated with each processor, and a communication

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network (see column 12, lines 26-51). Wilkinson further disclosed data communication messages to include destination addresses, or in other words an identification (see column 15, lines 16-18).

10. It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Jaffe and Wilkinson to provide a system comprising a plurality of processors, a controlling processing unit, associated memory units, and a network for receiving data to process, the data including an identification. The inventions of Jaffe and Wilkinson are directed to a similar network technology, upon which Wilkinson provides teachings relating to the broad concept of using an identification with processed data. One of ordinary skill in the art would have been motivated to consider the teachings of Wilkinson as they offered improvements over prior art SIMD systems such as reduced complexity, lower network transmission time, and scalability (see column 11, lines 25-48).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Taniguchi (U.S. Pat. No. 5,339,310) disclosed a switching apparatus for a switched network of asynchronous transfer mode.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph R Maniwang whose telephone number is (571) 272-3928. The examiner can normally be reached on Mon-Fri 8:00-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A Cuchlinski can be reached on (571) 272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM


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